

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

ALFRED HOLLAWAY,

Plaintiff,

v. Civil Action No. No. 2:23-cv-00004

WEST VIRGINIA DIVISION OF
CORRECTIONS AND REHABILITATION;
SOUTHERN REGIONAL JAIL; and C.O.
JOHN DOE(S) in their individual and
official capacity as correctional officers

Defendants/Third-Party Plaintiffs,

v.

PRIMECARE MEDICAL OF WV, INC.; and
JOHN DOE(S) OFFICERS OF THE MIDDLESEX
COUNTY PROSECUTOR'S OFFICE OF NEW JERSEY,
in their individual capacity(ies).

Third-Party Defendants.

MEMORANDUM OPINION AND ORDER

Pending is a joint motion to extend deadline for joinder/amendment of pleadings, filed on February 28, 2023, by Alfred Hollaway ("plaintiff") and West Virginia Division of Corrections and Rehabilitation and Southern Regional Jail ("defendants"). ECF 10.

In the motion, the parties aver co-counsel for plaintiff, passed away on February 28, 2023. ECF 10 at ¶2. Due

to this, "[p]laintiff's counsel has requested a 14-day extension of time to amend his Complaint." Id. ¶3. Defendants assert no objection to plaintiff's requested extension. Id. Finally, the parties add "[n]o other deadlines will be affected by this modification." Id. ¶4.

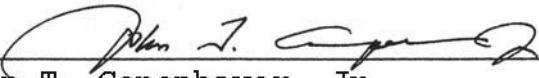
"A schedule may be modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4); see also LR. Civ. P. 16.1(f)(1). Due to the death of plaintiff's counsel, the court finds good cause exists to amend the scheduling order.

Accordingly, for good cause shown, it is ORDERED that the parties' motion to extend the deadline for joinder/amendment of pleadings is granted. The parties' deadline for joinder/amendment of pleadings is now March 14, 2023.

With the exception of this modification, the requirements and directives of the original scheduling order shall remain in effect.

The Clerk is directed to transmit copies of this order to all counsel of record and any unrepresented parties.

ENTER: March 1, 2023



John T. Copenhaver, Jr.
Senior United States District Judge